STECHLER et al v. SIDLEY AUSTIN BROWN & WOOD, L.L.P. et al Doc. 5

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August 17, 2005

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**Via Electronic Filing and Regular Mail**

William T. Walsh, Clerk
UNITED STATES DISTRICT COURT
Martin Luther King Federal Bldg & Courthouse
50 Walnut Street
Newark NJ 07102

**Re: Joseph Stechler, et al. v. Sidley Austin Brown & Wood, LLP, et al.
Civil Case No. 05-3485 (HAA)**

Dear Mr. Walsh:

The undersigned represents Defendant Sidley Austin Brown & Wood, LLP ("Brown & Wood") in connection with the above-referenced matter. I write on behalf of Defendants Brown & Wood, R.J. Ruble, Alpha Consultants, Inc., Alpha Consultants, L.L.C., Ivan Ross, Grant Thornton, L.L.P., Grant Thornton International, Israel Press, Refco Capital Markets, Ltd., and Refco Capital LLC (together, "Defendants").

Plaintiffs in this case have filed a Motion to Remand which is presently returnable before Judge Ackerman on September 12, 2005. Pursuant to L.Civ.R. 7.1(d)(5), Defendants wish to invoke their right to a fourteen (14) day extension of the time within which to file papers in opposition to the foregoing dispositive motion. Pursuant to this fourteen (14) day extension, the deadline for submission of papers in opposition to the Motion to Remand shall be Monday, September 12, 2005 and the new return date of the Motion shall be Monday, September 26, 2005.

Insofar as the various Defendants have not yet been served with process in this action, Defendants reserve the right, pursuant to Fed. R. Civ. P. 81(c), to respond to the Complaint only after service of process has been effected. Further, the Defendants reserve all of their rights and

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defenses, including without limitation the right to seek arbitration of Plaintiffs' claims and the defenses of failure to serve process and of improper venue or forum.

We thank the Court for its courtesies.

Respectfully submitted,

LUM, DANZIS, DRASCO & POSITAN, LLC

Dennis J. Drasco /s/

DENNIS J. DRASCO
A Member of the Firm

DJD:jo

cc: Hon. Harold A. Ackerman, U.S.D.J.
Hon. G. Donald Haneke, U.S.M.J.
Hon. Mark Falk, U.S.M.J.
Dana M. Sussman, Esq. (via electronic filing)
All Counsel of Record (via e-mail)